

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AVERY JAMES HARDAWAY : CIVIL ACTION
:
v. : NO. 24-2023
:
TRADER JOE'S COMPANY :

ORDER

AND NOW, this 20th day of May 2024, upon reviewing the pro se Complaint (ECF No. 2) after granting leave to proceed without paying filing fees (ECF No. 6) consistent with our obligations set by Congress to screen under 28 U.S.C. § 1915(e)(2)(B), noting Plaintiff alleges religious discrimination in hiring at Trader Joe's under Title VII, retaliation, and disability discrimination under the Americans with Disabilities Act, finding his claims are untimely as evident from his sworn allegations and, even if timely, does not presently plead sufficient facts allowing us to plausibly infer a basis for those claims, and for reasons in today's accompanying Memorandum, it is **ORDERED** we:

1. **DISMISS** the Complaint (ECF No. 2) for failure to state a timely claim without prejudice;
2. **GRANT** Plaintiff leave to file an amended Complaint consistent with the facts and the accompanying Memorandum by no later than **June 7, 2024** if Plaintiff can plead a basis for finding his claims are timely or otherwise state a claim; and,
3. **REMIND** Plaintiff we will direct the Clerk of the Court to close this case if Plaintiff does not timely amend his Complaint by June 7, 2024 under this Order.



KEARNEY, J.